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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 GABRIEL McCAIN,

13 Plaintiff,

2:05-cv-0854-GEB-PAN-PS

14 v.

15 DEPENDENCY ASSOCIATES OF
16 SACRAMENTO, et al.,

ORDER

17 Defendants.
18 _____/

19 This matter was referred to the Honorable Peter A.
20 Nowinski, United States Magistrate Judge, pursuant to 28 U.S.C.
21 §§ 636, et seq., and Local Rule 72-302. On June 30, 2005, Judge
22 Nowinski recommended that plaintiff's action be dismissed due to
23 plaintiff's failure to prosecute. Fed. R. Civ. P. 41(b).

24 No objections to the findings and recommendation have been
25 filed. Moreover, plaintiff has withdrawn her request, made
26 September 9, 2005, that all her cases pending before this court

1 be transferred to the superior court. See McCain v. Om et al.,
2 S-Civ.05-869 WBS GGH.

3 The court has reviewed the file and finds the findings and
4 recommendations supported by the record and the magistrate
5 judge's analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations filed June 30,
8 2005, are adopted in full; and

9 2. This action is dismissed.

10 Dated: October 21, 2005

11 /s/ Garland E. Burrell, Jr.
12 GARLAND E. BURRELL, JR.
13 United States District Judge
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